

Message

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Subject: FOR AWARENESS: This is a recent announcement from NY State

Importance: High

<https://www.wateronline.com/doc/governor-cuomo-adopting-maximum-contaminant-levels-for-pfoa-pfos-and-dioxane-0001>

Governor Cuomo Announces Availability Of \$350M For Water System Upgrades Statewide And Directs Health Department To Begin Adopting Maximum Contaminant Levels For PFOA, PFOS And 1,4-Dioxane

- *\$27M in Grants Awarded to Address 1,4-Dioxane in Nine Long Island Communities*
- *Additional \$370,000 to Help Fund Planning and Development of New Local Infrastructure Projects That Will Combat Emerging Contaminants in 14 Public Water Systems*
- *Levels Recommended by New York's Drinking Water Quality Council are the Nation's Most Protective for PFOA and PFOS, and First-Ever Level for 1,4-dioxane*
- *DOH, DEC, and EFC Will Work Together to Assist Municipalities in Meeting Standards and Funding Upgrades to Water Systems*

Governor Andrew M. Cuomo today announced that \$350M is now available through the Water Infrastructure Improvement Act and the Intermunicipal Water Infrastructure Grant Program for municipalities with infrastructure projects that protect public health or improve water quality. The Governor also announced that New York's Health Commissioner, Dr. Howard Zucker, has accepted the New York State Drinking Water Quality Council's recommendations for maximum contaminant levels in drinking water for PFOA, PFOS and 1,4-dioxane, and has directed the Department to begin the regulatory process for adopting these enforceable standards. The levels of 10 parts per trillion for PFOA and 10 parts per trillion for PFOS are the most protective in the nation. The standard of 1 part per billion for 1,4-dioxane is the nation's first-ever level set for that contaminant. Once adopted, the Environmental Facilities Corporation and the Department of Environmental Conservation will closely coordinate with the Department of Health to help fund and remediate water systems that test above the new maximum contaminant levels.

"We're proposing the most protective levels in the nation for three emerging contaminants to ensure we are regularly testing and fixing water systems before they ever rise to a public health risk in any part of the state," Governor Cuomo said. "New York State will continue to lead in the absence of federal action by ensuring all residents have access to clean drinking water and by investing in critical projects to assist municipalities in treating these emerging contaminants."

The state's recommended levels for PFOA and PFOS are significantly lower than the federal EPA's current guidance levels of 70 parts per trillion. Any potential health effects of concern for these contaminants primarily results after a lifetime of exposure to 70 ppt, not exposure over short periods of time. While the EPA does not have guidance on 1,4-dioxane, in accepting the Drinking Water Quality Council's recommendations, DOH used the best available science to determine a similarly protective level of 1 part per billion. Establishing such highly protective maximum contaminant levels (MCLs) and requiring every public water system to regularly test and monitor, regardless of their size, will ensure that contaminant levels never rise to the point of causing a public health risk.

Grant eligible projects for the \$350M in water quality improvement projects include those that combat emerging contaminants, such as PFOA, PFOS, and 1,4-dioxane, with system upgrades and innovative technologies, and those that address combined or sanitary sewer overflows impacts from flooding. The Governor also announced \$27M in grants to support nine Long Island projects that will remove emerging contaminants from drinking water. Under the leadership of Governor Cuomo, New York State's 2017 Clean Water Infrastructure Act and the FY 2020 Enacted Budget make \$3 billion available to address critical water infrastructure needs.

"It's critical that we ensure our drinking water is safe for all New Yorkers," said Lieutenant Governor Kathy Hochul. "This process to tackle the serious issue of contaminants will address health needs to enhance and protect water quality. We want to make sure that communities have the resources they need to make upgrades to their water treatment systems and ensure the health and safety of residents."

Regulatory Process, Public Comment and MCL Adoption

To amend the state's drinking water regulations, a Notice of Proposed Rulemaking in the New York State Register has been submitted here and is expected to be published on Wednesday, July 24 when a 60-day public comment will begin. Public comments can be sent to regsqa@health.ny.gov. Following assessment of public comments, the proposed regulation will either be revised or submitted for adoption by the Public Health and Health Planning Council, subject to the approval of the Commissioner of Health. The regulation will go into effect upon publication of a Notice of Adoption in the New York State Register. Once adopted, public water systems of all sizes would need to test their water within the specified timeframes, as outlined in the regulations, and comply with the adopted MCLs. Most water supplies will need to submit their first round of test results within three months of rule adoption.

The Nation's Most Protective MCLs for PFOA/PFOS Accepted

Dr. Zucker has accepted the Drinking Water Quality Council's recommendation to adopt MCLs of 10 parts per trillion (ppt) for PFOA and 10 ppt for PFOS. These levels are the lowest in the nation and take into consideration the national adult population's "body burden," or the fact that all adults already have some level of exposure to these and other related chemicals. PFOA is a chemical that has been used to make non-stick, stain resistant and water repellant products, and PFOS is a chemical that has been used in fire-fighting foam. The State has invested millions through the State Superfund program to install granular activated carbon filtration (GACs) systems that are successfully removing PFOA and PFOS from impacted water supplies in

several communities. Ultimately, as with any environmental remediation, the State is holding those responsible accountable for any expenses incurred at state and local levels.

First in the Nation MCL for 1,4-dioxane Accepted

For 1,4-dioxane, the Commissioner has accepted the Drinking Water Quality Council's recommendation to adopt a first in the nation MCL of 1.0 part per billion (ppb). 1,4-dioxane is a chemical that has been used as a stabilizer in solvents, paint strippers, greases and wax. The State approved an effective new treatment technology for 1,4-dioxane called Advanced Oxidative Process (AOP), which is already being utilized by the Suffolk County Water Authority on Long Island.

Funding for Water Quality Infrastructure Projects

To further bolster actions to protect communities' drinking water supplies and support infrastructure improvements statewide, the Governor announced the availability of \$350M. Municipalities are eligible to apply for funding for:

- Water Infrastructure Improvement Act Wastewater Infrastructure Projects: depending on the size of the project applicants may receive funding for up to 25 percent of net eligible project costs, or a maximum of \$25M, whichever is less.
- Water Infrastructure Improvement Act Drinking Water Infrastructure Projects: applicants may receive funding for up to 60 percent of net eligible project costs, or \$3M, whichever is less.
- Intermunicipal Water Infrastructure Grants Clean Water and Drinking Water Projects: applicants may receive funding for up to 40 percent of net eligible project costs, or \$10M, whichever is less.

Applicants can go to the link below to apply for Water Infrastructure Improvement Act grant funding today: <https://www.efc.ny.gov/WIIAApply>.

Funding for Emerging Contaminants

The State Environmental Facilities Corporation, in collaboration with the Department of Health, has awarded \$27M to help Long Island communities upgrade drinking water treatment systems and address the emerging contaminants PFOA, PFOS and 1,4-dioxane. The grants will fund up to 60 percent of each project's cost, up to the grant maximum of \$3 million. In addition, the projects are expected to support local jobs in construction, supplier, and service sectors.

The following communities each received \$3M to upgrade treatment systems:

- Franklin Square Water District (Nassau County): Volatile Organic Compound (VOC) and 1,4-dioxane treatment;
- Greenlawn Water District (Nassau County): 1,4-dioxane treatment;
- Town of Hempstead (Nassau County): East Meadow Water District 1,4-dioxane treatment;
- Town of Huntington (Suffolk County): 1,4-dioxane treatment;
- Manhasset-Lakeville Water District (Nassau County): 1,4-dioxane treatment;
- Oyster Bay Water District (Suffolk County): 1,4-dioxane treatment;

- Port Washington Water District (Nassau County): 1,4-dioxane and PFOA treatment;
- South Farmingdale Water District (Nassau County): 1,4-dioxane treatment; and
- West Hempstead Water District (Nassau County): 1,4-dioxane treatment.

In addition to the \$27 million in grants, \$370,000 is being awarded to help fund the planning and development of new local infrastructure projects that will combat emerging contaminants. Planning grants of up to \$50,000 each were awarded to 14 public water systems:

- Town of Berlin (Rensselaer County): \$20,625 for Non-PFOA source water investigation planning;
- Town of Petersburg (Rensselaer County): \$20,625 for water system upgrade planning;
- Village of Endicott (Broome County): \$30,000 for an emerging contaminants water system study;
- Town of Pleasant Valley (Dutchess County): \$30,000 for hamlet water district creation planning;
- Bethpage Water District (Nassau County): \$19,600 for 1,4-dioxane, Nitrate and VOC removal planning;
- Village of Farmingdale (Nassau County): \$19,920 for VOC and emerging contaminants removal planning;
- Garden City Park Water District (Nassau County): \$19,600 for 1,4-dioxane treatment planning;
- Hicksville Water District (Nassau County): \$30,000 for an emerging contaminants planning report;
- Jericho Water District (Nassau County): \$50,000 for 1,4-dioxane treatment planning;
- Village of Mineola (Nassau County): \$30,000 for 1,4-dioxane removal planning;
- Plainview Water District (Nassau County): \$19,600 for 1,4-dioxane treatment planning;
- Roslyn Water District (Nassau County): \$30,000 for 1,4-dioxane treatment planning;
- Westbury Water District (Nassau County): \$30,000 for 1,4-dioxane treatment planning; and
- Westchester County: \$30,000 for New King Street water extension planning.

To date, over \$775M in the Water Infrastructure Improvement Act and the Intermunicipal Water Infrastructure Grant Program funding administered by EFC is supporting over \$2.7B in total project costs for vital drinking and wastewater infrastructure projects statewide.

Department of Health (DOH) Commissioner Dr. Howard Zucker said, "The continued lack of federal leadership on emerging contaminants has made it evident that New York must chart its own course to continue to protect water quality statewide. With the state now moving forward in setting enforceable maximum contaminant levels, Governor Cuomo is ensuring these communities have the financial support and assistance to effectively address these contaminants."

Department of Environmental Conservation (DEC) Commissioner Basil Seggos said, "We applaud our colleagues at the Department of Health for advancing this comprehensive proposal to improve the regulation of emerging contaminants in drinking water. Safeguarding clean water is essential to the health of our communities, environment and economy, and the leadership and funding provided by Governor Cuomo today is leading the nation forward on critical water infrastructure upgrades. DEC will continue to work across the state to ensure all New Yorkers have access to clean drinking water, and hold accountable those responsible for any contamination."

Environmental Facilities Corporation (EFC) President and CEO Sabrina M. Ty said, "Governor Cuomo has established a record of environmental leadership regarding emerging contaminants, and the grants announced today will help communities across Long Island safeguard their drinking water supplies. Clean drinking water is central to the prosperity of our communities, and EFC stands ready to do its part as we seek to create a healthier New York for everyone."

Senator Gustavo Rivera, Chair of Senate Health Committee said, "It is encouraging that the NYSDOH is accepting the MCL recommendations of the New York State Drinking Water Quality Council to adequately regulate three emerging contaminants in our State's drinking water. Implementing these recommendations will help protect our drinking water supply and safeguard the health of New Yorkers across the state from dangerous exposure to PFOS, PFOA and 1,4-dioxane."

Senator Todd Kaminsky, Chair of Senate Environmental Conservation Committee said, "Long Islanders are rightly concerned that emerging contaminants are impacting the quality of their water supply. Setting strict limits is the first important step toward tackling this challenge, and allocating the necessary dollars -- including the round of funding announced here -- must be a consistent priority of our State government going forward. I would like to thank Governor Cuomo for focusing intensely on this critical issue for all of Long Island."

Assembly Member Richard Gottfried, Chair of Assembly Health Committee said, "New York has a responsibility to be a national environmental leader, with the most protective contaminant levels in the country. We must have the strongest commitment to water quality for implementing the testing and remediation necessary to meet these standards in communities across the state, including monitoring emerging science about these dangerous chemicals."

Assembly Member Steve Englebright, Chair of Assembly Environmental Conservation Committee said, "Although dangerous substances should not be polluting our drinking water, the new limits on contamination for these three chemicals are an important first step in protecting human health. I thank the Drinking Water Quality Council for their diligence in suggesting these new limits and applaud Governor Cuomo for directing the Health Department to formally adopt the Council's recommendation."

Technical Assistance

Governor Cuomo has directed the New York State Water Quality Rapid Response Team to provide immediate technical assistance to communities interested in assessing system needs and applying for grant funding. Additionally, DOH will offer technical assistance based upon its successful oversight of carbon filtration and AOP treatment systems in other parts of the state. This will include engineering consultation, establishing monitoring and operational protocols, and guidance for potential grant and loan financing options. Established by Governor Cuomo in 2016, the New York State Water Quality Rapid Response Team continues to implement an aggressive protocol to reduce exposure to emerging contaminants in drinking water.

For more information about New York's Drinking Water Quality Council, please see: <https://www.health.ny.gov/environmental/water/drinking/dwqc/>.

For more information about New York's Drinking Water Protection Program, please see: <https://www.health.ny.gov/environmental/water/drinking/>.

For information about grant funding opportunities for water systems, please see: <https://www.health.ny.gov/environmental/water/drinking/financing.htm>.

SOURCE: Governor Andrew M. Cuomo

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